

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DAVID B. TRIEMERT,

CIVIL NO. 13-1312 (PJS/JSM)

Plaintiff,

v.

ORDER

WASHINGTON COUNTY,
SHERIFF WILLIAM HUTTON,
CHIEF DEPUTY SHERIFF DAN STARRY,
COMMANDER CHERI DEXTER,
TOM MCCARTHY,
Lake St. Croix Beach Mayor,
JOHN DOES,
JANE DOES, and
SHERIFF DEPUTY NICK SULLIVAN,

Defendants.

A Complaint was filed in the above matter on June 3, 2013 [Docket No. 1]. By Order dated June 18, 2013, Judge Patrick J. Schiltz referred all dispositive and non-dispositive motions to the undersigned [Docket No. 9].

On June 25, 2013, Defendant City of Lake St. Croix Beach Mayor Tom McCarthy filed a Motion to Dismiss [Docket No. 13]. On June 26, 2013, this Court issued an Order/Notice of Hearing setting up a briefing schedule on this motion [Docket No. 16]. Plaintiff was ordered to serve and file a response to the motion on or before July 24, 2013, and defendant was given until August 7, 2013 to serve and file any reply. Plaintiff did not file any response to the motion, and defendant did not file a reply.

On July 17, 2013, defendants Washington County, Sheriff William Hutton, Chief Deputy Dan Starry, Commander Cheri Dexter and Sheriff's Deputy Nick Sullivan filed a Motion to Dismiss [Docket No. 29]. On August 2, 2013 [Docket No. 35], this Court issued an Order/Notice of Hearing setting up a briefing scheduled on this motion

[Docket No. 29]. Plaintiff was ordered to serve and file a response to the motion on or before August 14, 2013, and defendants were given until August 21, 2013 to serve and file a reply. Plaintiff did not file any response to the motion, and defendants have not yet filed a reply.

The Court, being duly advised in the premises, upon all of the files, records and proceedings herein, now makes and enters the following Order:

IT IS HEREBY ORDERED that:

1. The hearing scheduled before the undersigned for August 28, 2013 at 10:00 a.m. on Defendant City of Lake St. Croix Beach Mayor Tom McCarthy Motion to Dismiss [Docket Nos. 13, 24] and defendants Washington County, Sheriff William Hutton, Chief Deputy Dan Starry, Commander Cheri Dexter and Sheriff's Deputy Nick Sullivan Motion to Dismiss [Docket No. 29] is CANCELED.
2. The motions will be decided upon the written submissions.
3. No further motions shall be filed in the above matter until a ruling has been issued on the pending motions to dismiss.

Dated: August 20, 2013

s/ Janie S. Mayeron
JANIE S. MAYERON
United States Magistrate Judge